

CARDER
36270-040703



ROANOKE CITY COUNCIL
REGULAR SESSION

APRIL 7, 2003
9:00 A.M.

CITY COUNCIL CHAMBER

AGENDA

- 1. Call to Order--Roll Call.** (Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

File #110-132

Approved (4-0)

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

File #110-132

Approved (4-0)

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

File #2-132-166

Approved (4-0)

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

File #2-132-166

Approved (4-0)

AT 9:05 A.M., THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.



COUNCIL WORK SESSION

APRIL 7, 2003

9:00 A.M.

ROOM 159

AGENDA

(All Council Members were present.)

2. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (25 minutes)
3. Topics for discussion by the Mayor and Members of Council. (15 minutes)
 - Council/School Board Fiscal Year 2003-04 Budget Study Session (May 8 at 8:30 a.m.).
4. Briefings by City staff:
 - Fleet Management, City Manager - (30 minutes)
 - Stormwater, City Manager - (30 minutes)
 - Debt policy, Director of Finance - (20 minutes)

AT 12:05 P.M., THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M. IN THE COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 7, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Present)

The Invocation was delivered by the Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Wednesday, April 9, 2003, at 7:00 p.m., and Sunday, April 13, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

The Mayor welcomed Hye-Ryeon Hong, Medical Records Specialist, and Hyun-Sook Jung, a Registered Nurse, from Wonju, Korea, Roanoke's Sister City, who were visiting the Roanoke Valley to observe operations at Lewis Gale Medical Center and the Pediatric Department at Community Hospital.

File #221-327

Proclamation declaring the month of April 2003, as Scottish American History and Heritage Month.

File #3

Proclamation declaring the month of April 2003, as Fair Housing Month.

File #3-178

Proclamation declaring April 6 - 12, 2003, as Building Safety Week.

File #3-32

Proclamation declaring April 6 - 12, 2003, as Boys and Girls Club Week.

File #3-304

Proclamation declaring April 13 - 19, 2003, as National Public Safety Telecommunicator's Week.

File #3-262

3. CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, February 3, 2003, and recessed until Tuesday, February 4, 2003; and Tuesday, February 18, 2003.

RECOMMENDED ACTION: Dispense with the reading thereof, and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation of a sanitary sewer easement across property located on Hidden Oak Road, S. W., identified as Official Tax Nos. 5050220 - 5050222, inclusive.

RECOMMENDED ACTION: Concur in the request.
File #27-28

- C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property located at 540 Church Avenue, S. W., identified as Official Tax No. 1113414, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions.

RECOMMENDED ACTION: Concur in the request.
File #100-166

- C-4 A communication from Robert L. Humphreys tendering his resignation as a member of the Roanoke Arts Commission.

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

File #110-230

- C-5 Qualification of the following persons:

Gilbert E. Butler, Jr., D. Kent Chrisman and Henry Scholz as members of the City Planning Commission, for terms ending December 31, 2006;

Sherman V. Burroughs as a member of the Fair Housing Board, for a term ending March 31, 2006; and

William White, Sr., as a member of the Hotel Roanoke Conference Center Commission, for a term ending April 8, 2007.

RECOMMENDED ACTION: Receive and file.
File #15-110-178-200-247

REGULAR AGENDA

The following persons will be accorded the public interview for the position of Trustee, Roanoke City School Board, on Thursday, April 24, 2003, at 4:30 p.m.:

Dennis M. Binns
F. B. Webster Day
Tiffany M. Johnson
Gloria P. Manns
Kathy G. Stockburger
David B. Trinkle

File #467

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A request of Habitat for Humanity in the Roanoke Valley, Inc., to present a faux check representing property taxes, permit fees, and local sales taxes paid to the City, and to discuss new house designs. David Camper, President; and Tom Dalzell, Member, Board of Directors, Spokespersons. (10 minutes) (Sponsored by the City Manager.)

No action.

File #79-178-399

- b. A request of Family Service of the Roanoke Valley to address Council with regard to National Youth Services Day. Laura Boutwell, United with Youth Coordinator, Spokesperson. (10 minutes) (Sponsored by the City Manager.)

No action.

File #304

- c. A request of the Roanoke City Public Schools to present an update on the Career and Technical Education Program. Scott Meadows, Coordinator, Marketing and Community Engagement. (10 minutes) (Sponsored by the City Manager.)

No action.

File #467

- d. A request of the Roanoke Regional Airport Commission, to present the proposed 2003-04 Operating Budget, and proposed capital expenditures. Jacqueline L. Shuck, Executive Director, Spokesperson. (10 minutes) (Sponsored by the City Manager.)

Adopted Resolution No. 36270-040703. (7-0)

File #9-60

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending appropriation of \$31,200.00 for repayment of 78 positions, in connection with an agreement between the City of Roanoke, First Union National Bank and the Fifth District Employment and Training Consortium relating to jobs in Enterprise Zone One.

**Adopted Budget Ordinance No. 36271-040703. (7-0)
File #60-246-266-369**

2. A communication recommending transfer of \$124,500.00 in connection with restoration of Fire Station No. 1, located at 13 East Church Avenue.

**Adopted Budget Ordinance No. 36272-040703. (7-0)
File #60-70-216**

3. A communication recommending transfer of \$1,365,100.00 in connection with renovation of the First Street Bridge.

**Adopted Budget Ordinance No. 36273-040703. (5-2, Mayor Smith and Council Member Wyatt voted no.)
File #60-102**

4. A communication recommending acquisition of certain property rights in connection with the Fire Administration Building Project.

**Adopted Ordinance No. 36274-040703. (6-1, Council Member Wyatt voted no.)
File #2-32-70**

5. A communication recommending execution of a Business Associate Agreement with companies that receive health information; and amendment to the health care plan, dental plan and flexible spending account plans to include the Health Insurance Portability and Accountability Act of 1996 privacy requirements.

Adopted Resolution No. 36275-040703. (7-0)
File #58-184

6. A communication recommending execution of Change Order No. 2 to the contract with Golder Associates, Inc., for ground water exploration investigation and work, in connection with development of additional water sources to increase the City's water supply, in the amount of \$369,835.00; an option agreement to purchase property located at 1905 Riverdale Road, S. E., to be used as a well site; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 36276-040703 and Ordinance Nos. 36277-040703 and 36278-040703. (7-0)
File #2-60-468

b. CITY ATTORNEY:

1. A report transmitting an ordinance amending the City Code to provide that the Director of Real Estate Valuation will be appointed by and report to the Director of Finance, effective August 1, 2003.

Adopted Ordinance No. 36279-040703. (7-0)
File #1-24-162-184

c. DIRECTOR OF FINANCE:

1. Financial report for the month of February 2003.

Received and filed.
File #1-10

2. A report recommending approval of a City of Roanoke Debt Policy.

**Adopted Resolution No. 36280-040703. (7-0)
File #439**

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

**9. INTRODUCTION AND CONSIDERATION OF
ORDINANCES AND RESOLUTIONS: NONE.**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Dowe requested that the City Manager investigate the feasibility of improved signage for motorists exiting I-581 at the Colonial Avenue exit.

File #77-107

Council Member Cutler commended the City's Director of Utilities, Mike McEvoy, upon receipt of the 2002 Construction Management Achievement Award from the National Capital Chapter of the Construction Management Association of America for management of the City's new Crystal Spring Filter Plant.

File #80-330-468

Council Member Cutler advised that the new Urban Forestry Plan will be included on the Council's April 21 agenda for consideration which calls for aggressive reforestation in the City of Roanoke.

File #132-240

Council Member Wyatt commended the Roanoke Express hockey team which is now in the playoffs. She advised that the next game will be held on April 8 and if the Express is successful, it will proceed to the second round of playoffs.

File #346-388

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., requested that businesses along Route 460 be advised of upcoming events at the Roanoke Civic Center, in order that they may be properly staffed to accommodate additional customers. He commended City staff on their hard work to clean up the City following the snow/rain event on Sunday, March 30. He expressed disappointment that he was not selected to be interviewed for a position on the Roanoke City School Board.

File #66-77-192-410-467

Mr. Robert Gravely, 3360 Hershberger Road, N. W., quoted Bible scripture, and referred to his Constitutional rights with regard to freedom of speech.

File #66

Ms. Lacy Hamblin, 628 Day Avenue, S. W.; Ms. Doretha Lipford, 629 Day Avenue, S. W., and Ms. Stephanie Lipford, 629 Day Avenue, S. W., addressed Council in connection with a dog that was shot by a City Animal Control Officer on March 11. The matter was referred to the City Manager for report.

File #5-54

12. CITY MANAGER COMMENTS:

The City Manager called attention to three occasions over the weekend when she was reminded of the greatness of the City of Roanoke and its citizens; i.e.: Clean Valley Day on Saturday, April 5 that demonstrated the level of volunteerism by persons committed to cleaning up the City; remarks by Alex Garvin, Adjunct Professor, Urban Planning and Management, Yale University, member of a team that will be responsible for the rebuilding of New York City, who was favorably impressed with the City of Roanoke and specifically the City Market area; and the remarks of Danielle Yu, a professional harpist, who previously lived in the Roanoke area and considers Roanoke to be her second home. The City Manager advised that often times, when dealing with problems or tragedy, we fail to see the assets of our community, and Roanoke's greatest asset is its citizens.

File #42-80-265

The meeting was declared in recess at 3:45 p.m. for four Closed Meetings.

CERTIFICATION OF CLOSED MEETING. (6-0, Council Member Carder left the meeting during the Closed Meeting.)

Kristi Pedelty was appointed to the Roanoke Arts Commission to fill the unexpired term of Will Trinkle, resigned, ending June 30, 2004.

File #15-110-230

AT 5:10 P.M., THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL FRIDAY, APRIL 11, 2003, AT 12:00 NOON, FOR THE REGIONAL LEADERSHIP SUMMIT LUNCHEON TO BE HOSTED BY VIRGINIA TECH AT VIRGINIA TECH'S DONALDSON BROWN HOTEL & CONFERENCE CENTER AND ALUMNI HALL (OLD GUARD ROOM), BLACKSBURG, VIRGINIA.